

1  
2  
3  
4  
5  
6  
7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 WILLIE WEAVER,

11 Plaintiff,

No. CIV S-05-0449 RRB CMK P

12 vs.

13 NOVENCIDO, et al.,

14 Defendants.

ORDER

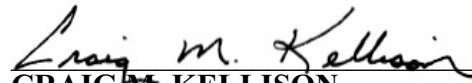
15 \_\_\_\_\_/  
16 Plaintiff is a prisoner who is proceeding pro se and in forma pauperis. Plaintiff  
17 seeks relief pursuant to 42 U.S.C. § 1983.

18 On September 7, 2005, the court ordered the United States Marshal to serve the  
19 complaint on defendants. Process directed to defendant R. Gile was returned unserved because  
20 "defendant has retired and unable to locate." Plaintiff must provide additional information to  
21 serve this defendant. Plaintiff shall promptly seek such information through discovery, the  
22 California Public Records Act, Calif. Gov't. Code § 6250, et seq., or other means available to  
23 plaintiff. If access to the required information is denied or unreasonably delayed, plaintiff may  
24 seek judicial intervention. Once additional information sufficient to effect service is obtained,  
25 plaintiff shall notify the court whereupon plaintiff will be forwarded the forms necessary for  
26 service by the U.S. Marshal. Plaintiff is cautioned that failure to effect service may result in the

1 dismissal of unserved defendants. See Fed. R. Civ. P. 4(m).

2           Accordingly, IT IS HEREBY ORDERED that plaintiff shall promptly seek  
3 additional information sufficient to effect service on any unserved defendants and notify the  
4 court once such information is ascertained.

5  
6 DATED: February 6, 2006.

7  
8   
9 **CRAIG M. KELLISON**  
UNITED STATES MAGISTRATE JUDGE